

FILED '08 AUG 25 10:06 USDC-ORE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT EUGENE MERIDETH,

Petitioner,

v.

BRIAN BELLEQUE,

Respondent.

Civ. No. 04-762-TC

ORDER

Aiken, Judge:

Magistrate Judge Coffin issued his Findings and Recommendation in the above-captioned case on June 6, 2008. Magistrate Judge Coffin recommends that the petition for writ of habeas corpus be denied and the case dismissed. Magistrate Judge Coffin found that the state court decision denying post-conviction relief was not an unreasonable application of clearly established federal law and

that petitioner failed to establish ineffective assistance of counsel. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Petitioner timely filed objections to the Findings and Recommendation. Upon de novo review, I find no error and adopt the analysis contained in Magistrate Judge Coffin's thorough opinion.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 88) filed June 6, 2008, is ADOPTED in its entirety. The Petition for Writ of Habeas Corpus (doc. 2) is DENIED and this case is DISMISSED.

IT IS SO ORDERED.

Dated this 25 day of August, 2008.



Ann Aiken
United States District Judge